



## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XC821]

#### **Endangered and Threatened Species; Notice of Initiation of a 5-Year Review for the Arabian Sea, Cape Verde Islands/Northwest Africa, Central America, Mexico, and Western North Pacific Distinct Population Segments of Humpback Whales**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of initiation, request for information

**SUMMARY:** NMFS announces the initiation of a 5-year review for the Arabian Sea, Cape Verde Islands/Northwest Africa, Central America, Mexico, and Western North Pacific Distinct Population Segments of the humpback whale (*Megaptera novaeangliae*). NMFS is required by the Endangered Species Act (ESA) to conduct 5-year reviews to ensure that the listing classifications of species are accurate. The 5-year review must be based on the best scientific and commercial data available at the time of the review. We request submission of any such information on the humpback whale.

**DATES:** To allow us adequate time to conduct this review, we must receive your information no later than *[insert date 30 days after date of publication in the FEDERAL REGISTER]*.

**ADDRESSES:** You may submit information on this document, identified by NOAA-NMFS-2023-0029 by the following method:

- *Electronic Submission:* Submit electronic information via the Federal e-Rulemaking Portal. Go to [www.regulations.gov](https://www.regulations.gov) and enter NOAA-NMFS-2023-0029 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

*Instructions:* Comments sent by any other method, to any other address or individual, or received after the end of the specified period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive or protected information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous submissions (enter “N/A” in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Meghan Gahm at (301) 427-8494 or [meghan.gahm@noaa.gov](mailto:meghan.gahm@noaa.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces our review of the five distinct population segments (DPSs) of the humpback whale (*Megaptera novaeangliae*) listed as endangered or threatened under the ESA. Section 4(c)(2)(A) of the ESA requires that we conduct a review of listed species at least once every 5 years. The regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing species currently under active review. On the basis of such reviews under section 4(c)(2)(B), we determine whether any species should be removed from the list (*i.e.*, delisted) or reclassified from endangered to threatened or from threatened to endangered (16 U.S.C. 1533(c)(2)(B)). As described by the regulations in 50 CFR 424.11(e), the Secretary shall delist a species if the Secretary finds that, after conducting a status review based on the best scientific and commercial data available: (1) the species is extinct; (2) the species does not meet the definition of an endangered species or a threatened species; and/or (3) the listed entity does not meet the statutory definition of a species. Any change in Federal classification would require a separate rulemaking process.

Background information on the species is available on the NMFS website at: <https://www.fisheries.noaa.gov/species/humpback-whale>.

## **Public Solicitation of New Information**

To ensure that the review is complete and based on the best available scientific and commercial information, we are soliciting new information from the public, governmental agencies, Tribes, the scientific community, industry, environmental entities, and any other interested parties concerning the status of *Megaptera novaeangliae*. Categories of requested information include: (1) species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (2) habitat conditions including, but not limited to, amount, distribution, and important features for conservation; (3) status and trends of threats to the species and its habitats; (4) conservation measures that have been implemented that benefit the species, including monitoring data demonstrating effectiveness of such measures; and (5) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes and improved analytical methods for evaluating extinction risk.

If you wish to provide information for the review, you may submit your information and materials electronically (see **ADDRESSES** section). We request that all information be accompanied by supporting documentation such as maps, bibliographic references, or reprints of pertinent publications.

**Authority:** 16 U.S.C. 1531 *et seq.*

Dated: March 8, 2023.

**Angela Somma,**

*Chief, Endangered Species Division, Office of Protected Resources  
National Marine Fisheries Service.*